

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on September 16, 2014.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Assistant Fire Chief Sean Junge, Police Chief Jeff Branson, Arts & Tourism Director Angelia Burgett and City Clerk Susan O'Brien.

#### CONSENT AGENDA

Mayor Gover seconded by Commissioner Cox moved to approve the consent agenda consisting of minutes of the regular meeting September 2, 2014; bills and payroll for the first half of September, 2014.

##### Bills and Payroll for the first half of September, 2014

##### General Fund

Payroll		\$	255,407.81
Bills		\$	198,015.86
	Total	\$	453,423.67

##### Arts Council Fund

Bills		\$	2.09
	Total	\$	2.09

##### Hotel Tax Administration

Payroll		\$	1,114.77
Bills		\$	1,114.77
	Total		

##### Festival Mgmt Fund

Bills		\$	685.70
	Total	\$	685.70

##### Insurance & Tort Judgement

Bills		\$	1,555.50
	Total	\$	1,555.50

##### Midtown TIF Fund

Bills		\$	113,740.45
	Total	\$	113,740.45

**Capital Project Fund**

Bills		\$	38,182.32
	Total	\$	38,182.32

**S Rte 45 TIF Dist**

Bills		\$	6,054.00
	Total	\$	6,054.00

**Broadway East TIF Dist**

Bills		\$	4,443.16
	Total	\$	4,443.16

**Broadway East Bus Dist**

Bills		\$	2,407.86
	Total	\$	2,407.86

**Water Fund**

Payroll		\$	33,325.68
Bills		\$	48,175.72
	Total	\$	81,501.40

**Sewer Fund**

Payroll		\$	32,465.10
Bills		\$	105,611.65
	Total	\$	138,076.75

**Heath Insurance Fund**

Bills		\$	131,796.02
	Total	\$	131,796.02

**Motor Fuel Tax Fund**

Bills		\$	17,274.33
	Total	\$	17,274.33

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover called for a moment of silence for Bill Wright, former Commissioner, and Keith Branson, former Township Commissioner, in their passing.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public comments or questions with no response for the Public.

**NEW BUSINESS**

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2014-1546, approving the re-appointments of Scott Gradle, Justin Grady, Mike Kallis, Bruce Karmazin, and Janahn Kolden, and the appointment of Julia Colombo to the Mattoon Arts Council for two-year terms expiring September 30, 2016.

Mayor Gover opened the floor for comments/discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1564, authorizing a five year lease agreement between the City of Mattoon and the Mattoon Area Family YMCA for an addition to the west side of the facility.

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**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2014-1564**

**AN ORDINANCE AUTHORIZING A LEASE BETWEEN THE CITY OF MATTOON AND MATTOON AREA FAMILY YMCA.**

**WHEREAS**, the City of Mattoon owns real estate West of the Mattoon Area Family YMCA, and;

**WHEREAS**, the real estate West of the Mattoon Area Family YMCA is primarily used as a detention pond, and;

**WHEREAS**, the Mattoon Area Family YMCA desires to building an addition to the West of its facility, and;

**WHEREAS**, the City of Mattoon has agreed to lease a portion of its real estate to allow for approximately 290 square feet of the addition to Mattoon Area Family YMCA facility to be located on the leased property, and;

**WHEREAS**, the lease between the City of Mattoon and the Mattoon Area Family YMCA shall be for 5 years and grant the Mattoon Area Family YMCA the right to purchase said property.

**WHEREAS**, the form of the Lease is attached hereto as Exhibit "A" and incorporated in this Special Ordinance by this reference.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION**, as follows:

**Section 1.** The Mayor is hereby authorized to execute the Lease and any and all other documents necessary to carry out the Lease until September 15, 2019.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 16th day of September, 2014, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cox, Commissioner Graven,</u> <u>Commissioner Hall, Mayor Gover</u>
NAYS (Names):	<u>None</u>
ABSTAIN (Names):	<u>Commissioner Owen</u>
ABSENT (Names):	<u>None</u>

Approved this 16<sup>th</sup> day of September, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Effective Date: 9/19/2014

Recorded in the Municipality's Records on September 16, 2014.

Mayor Gover opened the floor for comments/discussion. Commissioner Owen noted his abstaining vote due to his seat on the YMCA Board for another month.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Abstain Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Hall moved to adopt Special Ordinance No. 2014-1565, declaring real estate located at 1605-1613 Wabash Avenue surplus; and authorizing the acceptance of bids for said property. (Parking Lot D)

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2014-1565**

**A SPECIAL ORDINANCE DECLARING A CERTAIN PARCEL OF REAL ESTATE LOCATED ON  
WABASH AVENUE AS SURPLUS AND AUTHORIZING THE ACCEPTANCE OF BIDS FOR THE  
PROPERTY**

**WHEREAS**, the City of Mattoon owns a parcel of real estate located at 1605-1613 Wabash Avenue; and,

**WHEREAS**, the said property has been a parking lot for a number of years and the City has underutilized the property; and,

**WHEREAS**, the parcel is more fully described as:

Lots Two (2), Three (3), and Four (4) in Block One Hundred Seventy- One (171) of the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois.

**WHEREAS**, the City of Mattoon has determined that the property is no longer necessary or required for the use of the municipality; and

**WHEREAS**, the parcel is situated in the City of Mattoon, Mattoon Township, Coles County and is zoned C-3, Service Commercial District; and,

**WHEREAS**, the management staff believe it is in the City's best interest that the land be sold; and,

**WHEREAS**, the Illinois Statutes, at 65 ILCS 5/11-76-2, does allow the City Council to "accept the high bid or any other bid determined to be in the best interest of the city or village by a vote of 3/4 of the corporate authorities then holding office".

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that Parking Lot D real estate, the legal description of which is described below, is no longer necessary or required for the use of the municipality.

Lots Two (2), Three (3), and Four (4) in Block One Hundred Seventy- One (171) of the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois. [PIN: 07-1-04965-000]

**Section 2.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-2), the City of Mattoon will accept sealed bids for the property described above on Tuesday October 21, 2014 at 6:30 p.m. in the City Council Chambers at the regular meeting of the Mattoon City Council.

**Section 3.** The City Clerk is directed to publish notice of the sale each week for the next three weeks in the Journal-Gazette newspaper in the form as directed by Illinois Statute at 65 ILCS 5/11-76-2.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Hall, adopted this 16<sup>th</sup> day of September, 2014, by a roll call vote, as follows:

AYES (Names):        Commissioner Cox, Commissioner Graven,  
                              Commissioner Hall, Commissioner Owen,  
                              Mayor Gover

NAYS (Names):       None

ABSENT (Names):    None

Approved this 16<sup>th</sup> day of September, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett Winter-Black, City Attorney

Recorded in the Municipality's Records on September 16, 2014.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1566, granting an intensity of use variance for 3316 Richmond Avenue to enable the construction of an addition to the house and to the garage. Mark Townley – Petitioner

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2014-1566**

**AN ORDINANCE GRANTING A VARIANCE FROM THE INTENSITY OF USE OF THE PROPERTY  
AT 3316 RICHMOND AVENUE**

**WHEREAS** there has been filed a written Petition by Mark Townley for a variance, respecting the property legally described as:

Lot 59 of the Maplewood Addition, Part of the N1/2 Sec.15 T 12N R 07E, PIN: 07-2-08727-000; Also known as: 3316 Richmond Ave. Mattoon, Illinois

**WHEREAS**, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow the construction of an addition to the house and another addition to the garage in which the intensity of use of the lot would be increased from 30% to 34.5%; and

**WHEREAS** the Planning Commission for the City of Mattoon held a properly noticed, public hearing on September 9, 2014 regarding petitioner's request for said variance; and

**WHEREAS** the Planning Commission for the City of Mattoon has recommended that the requested variance be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance in which the intensity of use of the lot would be increased from 30% to 34.5% to allow the construction of a 16x17 foot room addition to the house as well as a 16x10 foot addition to the garage.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 16<sup>th</sup> day of September, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 16th day of September, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on September 16, 2014.

Mayor Gover opened the floor for comments/discussion. Administrator Gill noted the Planning Commission's recommendation for the variance.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

#### **DEPARTMENT REPORTS:**

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted work on the YMCA lease agreement, a meeting with Randy Curry and Chuck Burgener regarding the west wall of 1632 Broadway and TIF grant application [Mayor Gover inquired as to when the renovation would begin with Administrator Gill stating after approval. Commissioner Cox inquired as to the timeline for completion of the wall renovation with Administrator Gill stating completion depended upon the crew numbers.], gaming revenues; updated inspection department activities; and noted business as usual. Mayor Gover opened the floor for questions from anyone. Commissioner Cox inquired as to increases in gaming revenue with Administrator Gill responding affirmatively. Mayor Gover noted 23 establishments with gaming licenses.

CITY ATTORNEY noted working on projects with Administrator Gill and Director Barber. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted business as usual in addition to insurance renewals and issues. Mayor Gover opened the floor for questions with no response.

FINANCE reviewed the August Financial Report; noted TIF distributions of \$130,000, preparation of TIF reports, and upcoming status meeting with the auditors. Mayor Gover inquired if the City had received all real estate tax revenues with Finance Director & Treasurer Wright noting two additional installments are to be made. Mayor Gover opened the floor for additional questions with no response.

PUBLIC WORKS provided an update on the Heritage Park design committee, CMT satellite treatment facility plans submitted to IEPA to be under construction by next May, Bartels finishing concrete work and continuing to the Park areas. Mayor Gover opened the floor for questions with no response.

FIRE noted calls per service, training, walkthroughs, EMS 12-lead EKG update, three investigators to conference in Champaign, St. Mary's Grade School tribute to 9/11, fire drills, EMS Standby at Lake Land College for the MPD applicants' testing; and relayed a citizen's compliment on care provided by the City's ambulance service. Mayor Gover opened the floor for questions with no response.

POLICE noted the mandatory employment application process which resulted with 38 applicants but only 18 passed; declared appreciation to Lake Land College and Lake Land College's Police Department for their assistance; announced a reduction in the Police Department's portion of the County's 911 service expense due to negotiations and additional counties' participation, and the CSI unit operating at close to 100% self-sufficiency with commendations to the unit. Chief Branson gave further accolades to his staff and Charleston's staff on a murder investigation in Charleston. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM thanked the Mattoon Police Department for their walkthroughs at the Depot; and announced the 2013 travel results of Coles County which ranked #32 out of 102 counties for tourism impact in Illinois. Mayor Gover opened the floor for questions with no response.

#### **COMMENTS BY THE COUNCIL**

Commissioners Cox, Graven, Hall and Owen had nothing to report.

Mayor Gover seconded by Commissioner Owen moved to recess to closed session at 6:52 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the City (5ILCS/20 (2)(C)(1)).

Mayor Gover declared the motion carried by the following votes: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Council reconvened at 7:13 p.m.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 7:14 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien  
City Clerk